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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

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14 UNITED STATES OF AMERICA,
15 v.
16 CYNTHIA SEELEY,
17 Defendant.

CASE NO. 2:20-CR-00202 WBS
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: August 23, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

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19 STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on August 23, 2021.
- 21 2. By this stipulation, defendant now moves to continue the status conference until October
22 4, 2021 at 9:00 a.m., and to exclude time between August 23, 2021, and October 4, 2021, under Local
23 Code T4.
- 24 3. The parties agree and stipulate, and request that the Court find the following:
 - 25 a) The government has represented that the discovery associated with this case
26 includes investigative reports, materials obtained via subpoena, email correspondence, and
27 related documents in electronic form including approximately 737 pages of documents as well as
28 an audio recording. The discovery has been either produced directly to counsel and/or made

1 available for inspection and copying.

2 b) Defense counsel requires additional time to investigate the circumstances of the
3 offense, locate and interview witnesses, and consult with Ms. Seeley. Defense counsel
4 represents that consultation has been complicated by Ms. Seeley's life circumstances, but she
5 and counsel are in regular contact.

6 c) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of August 23, 2021 to October 4,
15 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis
17 of the Court's finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 18, 2021

PHILLIP A. TALBERT
Acting United States Attorney

Dated: August 18, 2021

/s/ TIMOTHY ZINDEL
TIMOTHY ZINDEL
Counsel for Defendant
CYNTHIA SEELEY

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: August 18, 2021

William B. Shubb
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE